

House Study Bill 96

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON SWAIM)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the consideration of inherited or gifted
2 property in dissolution-of-marriage property division
3 proceedings.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1826HC 82
6 pf/es/88

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1 1 Section 1. Section 598.21, subsection 5, unnumbered
1 2 paragraph 1, Code 2007, is amended to read as follows:
1 3 The court shall divide all property, except inherited
1 4 property or gifts received or expected by one party, equitably
1 5 between the parties after considering all of the following:
1 6 Sec. 2. Section 598.21, subsection 5, paragraph i, Code
1 7 2007, is amended to read as follows:
1 8 i. Other economic circumstances of each party, including
1 9 pension benefits, vested or unvested, ~~and future interests.~~
1 10 Future interests may be considered, but expectancies and
1 11 future interests arising from inherited or gifted property
1 12 shall not be considered.

1 13 EXPLANATION
1 14 This bill provides that in the division of property under a
1 15 dissolution of marriage, in addition to the court not
1 16 including inherited property or gifts received by one party,
1 17 the court is not to include inherited or gifted property
1 18 expected by one party. Also, with regard to the consideration
1 19 of future interests, the bill provides that expectancies and
1 20 future interests arising from inherited or gifted property are
1 21 not to be considered in the division of property.
1 22 LSB 1826HC 82
1 23 pf:rj/es/88